



EXTRAORDINARY  
PART I—Section 1  
PUBLISHED BY AUTHORITY

No. 369] NEW DELHI, WEDNESDAY, AUGUST 27, 1952

ELECTION COMMISSION, INDIA  
NOTIFICATIONS

*Ajmer, the 20th August, 1952.*

No. 1 E.—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under section 81 thereof is published for information.

J. D. SHARMA, *Chairman,*  
*Election Tribunal, State of Ajmer.*

*Dated, 20th August, 1952.*

BEFORE THE ELECTION COMMISSION OF INDIA, NEW DELHI

ELECTION PETITION No. 216 OF 1952.

Harnam Singh, S/o. Ramsingh, elector in ward No. 17 (Hathi Bhata), Ajmer Municipality, Ajmer —*Petitioner.*

*Versus*

1. Shri Jwala Prasad, Station Road, Ajmer.
2. Shri Parmatma Swarup, Advocate, Jaipur Road, Ajmer.
3. Shri Rangraj Mehta, Rajendra Bhawan, Beawar Road, Ajmer.
4. Shri Dinnomul Metharam, Ahata Mohalla, Ajmer.
5. Shri Bajoris Badridas, 17th Mile Stone, Bombay Agra Rd., Bhandup, Bombay.
6. Shri Shyam Sunder Advocate, Naya Bazar, Ajmer.
7. Shri Amrit Kumar Sanghi, Kutcheri Road, Ajmer.
8. Shri Chand Karan Sarda, Sarda Bhawan, Ajmer.

*} Opposite Parties.*

Election Petition under section 81 of the Representation of People Act, 1951, challenging the election of opposite party No. 1 to the House of People from Ajmer North Parliamentary constituency.

The Petitioner, named above begs to submit as under:—

1. That the petitioner is an elector in the Ajmer North Parliamentary Constituency and all the opposite parties were duly nominated candidates for election to the House of People from the Ajmer North Parliamentary Constituency.

2. That the Returning Officer accepted the Nomination papers of all the duly nominated candidates except that of opposite party No. 2 Shri Parmatma Swarup. Opposite Parties Nos. 6 and 7 withdrew their candidature within the prescribed time.

3. That the Returning Officer illegally accepted the nomination paper of opposite party No. 1 Shri Jwala Prasad and illegally rejected the nomination paper of Shri Parmatma Swarup, opposite party No. 2. These illegal acceptance and rejection of nomination paper of opposite parties No. 1 and 2 have materially effected the result of the election.

4. That opposite party No. 1 Shri Jwala Prasad's nomination paper should have been rejected as he on the date of election and nomination held offices of profit and as such was disqualified from being a candidate under Article 102 sub-clause 1 of the Constitution of India, notwithstanding the removal of disqualification act of the Parliament.

The offices of profit that he held were:

- (1) Member of the State Transport Authority;
- (2) Member of the Famine Committee;
- (3) Rationing Advisory Committee;
- (4) Refugees Rehabilitation Development Committee generally known as Loan Committee;
- (5) Chairman of the Ajmer Municipality.

5. The nomination paper of opposite party No. 2 was illegally rejected on the ground that the serial number of the seconder in column No. 14 was not given. The absence of the serial number could not entail the rejection of the nomination paper in view of the provisions of section 38(4) of the R.P. Act 1951 and also when the identity of the seconder was not in dispute and when he was admittedly an elector and subject to no disqualification.

6. That the Returning Officer himself committed a flagrant breach of the mandatory provisions of section 33(5) of the R.P. Act, 1951 by which a specific duty was cast upon him to satisfy himself at the time of the presentation of the Nomination Papers that the electoral No. of the seconder in the nomination paper was entered and that it was correct and that if it was not given or was incorrect then to give an opportunity to the candidate to rectify the mistake or omission. The Returning Officer having failed in the discharge of the statutory duty cast upon him by which the opposite party No. 2 Shri Parmatma Swarup was greatly prejudiced could not and should not have rejected the Nomination Paper having created an impression in the mind of the said candidate, by not raising any objection at the time of the presentation of the Nomination Paper, that the electoral numbers of the candidate, proposer and seconder as were in the Nomination paper were not incorrect.

7. The opposite party No. 1 committed a major corrupt practice as defined in section 123(1) of the R.P. Act, 1951, as—

- I. By offering and giving gratification and reward to Mr. Rangraj Mehta with the object of directly or indirectly inducing him to withdraw his candidature and who in fact withdrew his candidature and got reward by being elected Senior-Vice-Chairman of the Ajmer Municipality by the active support of Shri Jwala Prasad, his agents, his party, his canvassers and his supporters. The particulars are given in the Annexure.
- II. By offering to Shri Rangraj Mehta a gratification and reward in getting the disciplinary action which was being taken against him by the local Congress Organisation dropped. This was the reward for withdrawing the candidature. Particulars are given in the Annexure.
- III. By misusing his position as Chairman, Municipal Committee, Ajmer and thus exercising undue influence on the employees of the Ajmer Municipal Committee by indiscriminate transfers, suspensions, re-instatements, appointments and distribution of uniforms to Municipal employees (sweepers, peons etc.) and thus directly or indirectly interfering or attempting to interfere with the free exercise of electoral right of the electors who were the employees and the relatives of the employees of the Ajmer Municipality.

8. That the Opposite party No. 1 Shri Jwala Prasad committed a minor corrupt practice within the meaning of section 124 of the R.P. Act, 1951 in as much as he made a false return of election expenses which is false in many material particulars and in making false verifications of the same. The particulars are given in the annexure. Moreover the return of expenses as submitted was not made in conformity with law and the account books were not maintained as required by law.

9. That the opposite party No. 1 Shri Jwala Prasad committed an illegal practice within the meaning of section 125(3) of the R.P. Act 1951 as he issued placards and posters which do not on their face bear the name and/or address of the printer and/or publisher thereof.

10. That as required by section 117 of the R.P. Act, 1951 Rupees one thousand have been deposited and the receipt is attached herewith.

11. It is therefore, prayed that the election of Shri Jwala Prasad as a member of the House of People be set aside and his election be held null and void and he may be debarred from contesting any election or exercising his electoral right in view of his having committed corrupt and illegal practices. Cost of the petition may also be kindly awarded to the petitioner.

The Petitioner.

28th April, 1952.

Petitioner.

I, Harnam Singh Son of Ramsingh, the petitioner do hereby verify at Ajmer that the contents of paras. 1 to 9 are true to the best of my knowledge and belief, para. 10 is legal one and that para. 11 is the prayer.

28th April, 1952.

Petitioner.

#### *Annexure of Particulars.*

1. *Particulars regarding para. 7(1) of the Petition.*—Opposite party No. 3 Shri Rangraj Mehta did not withdraw his candidature within the time prescribed and his name appears in the list of validly nominated candidate compiled under section 38 of R.P. Act, 1951. The negotiations between Shri Jwala Prasad and Shri Rangraj Mehta were going on for a long time and the deal was complete on or about 2nd January, 1952, when Shri Rangraj Mehta was elected Senior Vice-Chairman of the Ajmer Municipality by active support of Shri Jwala Prasad and his party and in pursuance of which reward Shri Rangraj Mehta withdrew his candidature which was announced in press and platform for and on behalf of Shri Jwala Prasad.

2. *Particulars regarding para. 7(2) of the Petition.*—Shri Rangraj Mehta's candidature to the membership of the Municipal Committee, Ajmer was announced on behalf of the Congress. Shri Rangraj Mehta during the course of election denounced his candidature on Congress Ticket. Disciplinary action regarding his conduct was set at foot by the Pradesh Congress Committee, Ajmer and an explanation was demanded of him. As a result of his withdrawal Shri Jwala Prasad with the active support of his party in the Congress got not only the disciplinary action proceedings dropped but got applauded the action of Shri Rangraj Mehta in withdrawing his candidature from election to the House of People in favour of Shri Jwala Prasad and in getting the candidature of Shri Rangraj Mehta for Senior Vice-Chairmanship of Ajmer Municipality approved by the Congress.

3. *Particulars regarding para. 7(3) of the Petition.*—Proceedings and records of the Ajmer Municipality from September, 1951 to February, 1952, will clearly and unequivocally establish the corrupt practice.

4. *Particulars regarding para. 8 of the Petition.*—(1) Return of election expenses itself shows that no account of receipt of expenses was kept by Shri Jwala Prasad.

(2) The receipt portion of the return of expenses has not been submitted as required by law and is against the express and provisions of the law in as much as the receipts of money as and when advanced has not at all been shown.

(3) In part C and D of the Return no expenses have been shown, but it is a fact that the agents canvassers and supporters of Shri Jwala Prasad took extensive tours throughout the constituency and no expenses of these persons *viz.*, travelling, refreshments etc. have been shown.

(4) Travelling expenses and refreshment of polling agents, canvassers are not shown.

(5) Details of expenses under Part E have not been specifically given and no amount has been shown under Part F, while under Part L Rs. 643/1/- has been shown as expenses under Part 'F'. No total has been given under Part 'G' and nothing has been written as regards Rs. 4/15/9 shown under part 'H'. That hundreds of rupees were spent on petrol, etc. by the canvassers, agents and supporters of Shri

Jwala Prasad during November, December, 1951 and January 1952. for and on behalf of Shri Jwala Prasad but the same has not been shown under Unpaid Head no amount has been shown, though it is a fact that about Rs. 500 are due to be paid towards refreshment charges of the agents, canvassers etc. of Shri Jwala Prasad to M/s. Baldeo Prasad Narayan Prasad, Madar Gate, Ajmer.

28th April, 1952.

(Petitioner)

I, Harnam Singh, Son of Ramsingh the petitioner do hereby verify at Ajmer that the contents of this Annexure are true to the best of my knowledge and belief.

28th April, 1952.

Petitioner.

No. 2.E.—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under section 81 thereof is published for information.

J. D. SHARMA, Chairman.

Election Tribunal, State of Ajmer.

Dated 20th August 1952.

# BEFORE THE ELECTION COMMISSION, NEW DELHI

## ELECTION PETITION No. 233 OF 1952.

Madan Singh, s/o Har Lal, Advocate, Station Road, Ajmer.—Petitioner.

### Versus

1. Shri Kalyan Singh, s/o Jagaal Singh, Istimrardar of Bhinai.
2. Shri Lal Chand, s/o Sua Lal, Mahajan of Bhinai.
3. Shri Munshi Ram s/o Sheetal Prashad, Brahman of Bhinai.

Respondents.

Election Petition under Section 100 and 101 of the Representation of People Act, 1951 read with Section 3 of the Government of Part 'C' States Act, 1951.

The petitioner, named above, respectfully begs to submit as under:—

1. That the petitioner contested the election to the Ajmer State Legislative Assembly from Bhinai Constituency of Kekri Sub Division of Ajmer State, in January 1952.

2. That the respondents were the other candidates from the aforesaid constituency of Ajmer State Assembly.

3. That Respondent No. 1 is an Istimrardar of Bhinai estate in Ajmer State and as such he holds an "Office of Profit" within the meaning of Article 102 of the Indian Constitution read with Section 17 of the Government of Part 'C' States Act, 1951.

4. That at the time of scrutiny of the nomination papers of the candidates, the petitioner had challenged the candidature of Respondent No. 1 on the ground that he was holding an office of profit and as such he was disqualified to stand and contest the election to the Legislative Assembly of Ajmer State, but the Returning Officer of the constituency improperly accepted the nomination of Respondent No. 1 and declared him duly nominated candidate for the Bhinai Constituency of Ajmer State Assembly.

5. That in the election, held in January, 1952, the only contestants were your petitioner and Respondent No. 1. The nomination papers of the Respondent No. 3 were received by the Returning Officer, while Respondent No. 2 withdrew his candidature before 11th December, 1952, the last date for withdrawal fixed by the Returning Officer for that constituency.

6. That Respondent No. 1 was declared elected under Section 67 of the Representation of People Act, 1951 and his result was published in the Gazette of India Part III Section 3, dated 9th February, 1952. The Respondent No. 1 secured 3164 votes, while your petitioner secured 2970 votes.

7. That the notice of the return of election expenses filed by Respondent No. 1 has been duly published under rule 113 of the Representation of People (conduct of elections and election petitions) Rules, 1951 in Gazette of India Part III Section 3, dated 19th April 1952 and therefore the petition is within time.

8. That the election of the returned candidate Shri Kalyan Singh, is void and is challenged on the following grounds:—

(1) That Shri Kalyan Singh, Respondent No. 1, was and is holder of an "Office of Profit", under the Government of India within the meaning of Article 102 of the Indian Constitution read with Section 17 of the Government of Part 'C' States Act, 1951, and as such he was and is disqualified to stand and contest the election or to occupy the seat of a member to the Legislative Assembly of State of Ajmer.

(2) That Respondent No. 1 has been guilty of corrupt practices within the meaning of Section 123 of the Representation of People Act, 1951 as specified below:—

(a) That the Respondent No. 1 by himself, through his agents and other persons with his connivance practised bribery, full details and specifications thereof are incorporated in the list of particulars affixed herewith as appendix 'A'.

(b) That the Respondent No. 1 by himself, through his agents and other persons with his connivance interfered or attempted to interfere with the free exercise of the electoral rights of the voters, full particulars whereof are set forth in appendix 'B' attached herewith.

(3) That the Respondent No. 1 hired and procured Motor-vehicles for the conveyance of voters to the polling booths. Details and particulars whereof are mentioned in the list duly signed and verified and attached herewith as appendix 'C'.

(4) That the return of election expenses filed by the Respondent No. 1 is false in material particulars. The Respondent incurred more expenses than permitted by law.

(5) That after the scrutiny and before the withdrawal of nominations on 10th and 11th December, 1951, Respondent No. 1 and his friend, Thr. Onkar Singh of Padina, approached the petitioner at Ajmer in his office on Station Road, Ajmer and offered him a sum of Rs. 2,000 (Rupees Two thousand) with the object of inducing the petitioner to withdraw his candidature from Bhinai Constituency of the Ajmer State Legislative Assembly.

(6) That the results of the election have been materially effected by the improper acceptance of the nomination papers of Shri Kalyan Singh, Respondent No. 1 by the Returning Officer of Bhinai Constituency of Ajmer State.

(7) That the petitioner, therefore, prays that the election of Shri Kalyan Singh, Respondent No. 1, be declared void and it may further be declared that the petitioner has been duly elected to the Assembly of the Ajmer State from Bhinai Constituency and the cost of this petition may also be allowed.

Ajmer.

Dated 2nd May, 1952.

MADAN SINGH.

Petitioner.

I, Madan Singh, petitioner, Station Road, Ajmer, do hereby take oath and state that the contents of paras. 1 to 8 of this petition are true to the best of my knowledge and belief and para. 9 is the prayer.

Ajmer.

Dated 2nd May, 1952.

MADAN SINGH,

Petitioner.

#### Documents filed with the Petition

1. One receipt of Imperial Bank of Ajmer for depositing Rs. 1,000 (rupees one thousand only) as security amount, under Section 117 of the Representation of People Act, 1951.

Dated 2nd May, 1952.

MADAN SINGH,

Petitioner.

## APPENDIX 'A'

*List containing particulars of Corrupt Practices.*

1. Respondent No. 1 (Shri Kalyan Singh) offered a sum of Rs. 50 each to:—(1) Shri Bhanwar Lal s/o Bhagirath, Brahman (2) Shri Gheesa s/o Moola, Goojar of village Pranga on 11th January 1952 to vote and induce other voters to vote for himself.

2. Respondent No. 1 also offered a sum of Rs. 20 each to Chhoga s/o Jora, Goojar and (2) Sheoji s/o Gheesa, Goojar of village Arjunpura, near Pranga to vote and also to induce other voters to vote for himself, on 11th January 1952

3. That on 11th January 1952, Hari Singh and Kanak Mal, Mahajans of village Kitap, with the connivance of Respondent No. 1, offered a sum of Rs. 500 to Shri Pratap s/o Sheonath, Goojar of Kaliyanipura and to Shri Baldas s/o Ram Chandra, Sadhoo of village Kaliyanipura to induce all the voters of that village to vote for himself.

4. That in the evening of 11th January, 1952, Respondent No. 1 and his Kamdar and Fehsildar at village Jheenpiyan entertained the voters of that village by giving them 'Lapsi' to induce them to vote for the Respondent No. 1.

5. That Respondent No. 1 gave 15 cart-load of grass on or about 8th January 1952, to Thakur of Kanaikalan village with the object of inducing the voters of his village not to vote for the applicant but to vote for himself.

6. That Respondent No. 1 allowed Deep Chand, Mahajan (Chatar) of village Bhinai to construct one verandah in front of his shop, encroaching in the public way, and remitted all his arrears of rent (Rasal) for and on account of his active help in inducing voters of Bhinai village to vote for himself.

7. That Respondent No. 1 employed and took active help from Pt. Kanhya Lal, Sharma who is a Secretary of Co-operative Society and also from one Shri of Bhinal, at present serving at Kinnangarh in Rajasthan Government.

8. That Respondent No. 1 entertained, supplied food and liquor to the entire Police staff and the Polling Staff who wielded their entire influence in favour of the Respondent No. 1.

Ajmer.

Dated 2nd May, 1952.

MADAN SINGH,  
Petitioner.

I, Madan Singh, petitioner, Station Road, Ajmer, do hereby take oath and state that the contents of paras. 1 to 8 of this appendix are true to the best of my knowledge and belief.

Ajmer.

Dated 2nd May, 1952

MADAN SINGH,  
Petitioner.

## APPENDIX 'B'

*List of particulars of corrupt practice.*

1. That on or about 10th January 1952, Kr. Raghubir Singh, s/o Thr. Chandra Singh, Istimrardar of Bandanwara, Shri Suju and Dalla, Baraghas of Bandanwara and Ramnath Dolla of Bandanwara who were agents of Respondent No. 1, with his connivance, interfered with the free exercise of electoral rights of voters of village Paranga, Arjunpura and Deoria, particularly of the persons named below, by threatening the voters that if they did not vote for Respondent No. 1, then they will not be allowed grazing facilities to their cattle in Katakete-Bir-Land and that the division of their crop will be made at one-third of the produce and that they will be regularly harassed.

(1) Shri Nathulal s/o Dhulchand, Mahajan of village Paranga.

(2) Motilal s/o Dhulchand, mahajan of village Paranga.

(3) Bhanwarlal s/o Bhagirth, Brahman of village Paranga.

(4) Gheesa s/o Moola, Goojar of village Paranga.

(5) Hazari s/o Sardara, Rawat of Deoria village.

- (6) Dhunkal s/o Dhanna, Bhambl of Dcoria village.
- (7) Chhoga s/o Jora, Goojar of Arjunpura village.
- (8) Sheoji s/o Gheesa, Goojar of Arjunpura village.
- (9) Hukma s/o Bhura Chamar of Arjunpura village.

AJMER ;

MADAN SINGH,

Dated 2nd May, 1952.

Petitioner.

I, Madan Singh, petitioner, Station Road, Ajmer do hereby take oath and state that the contents of para. 1 of this appendix are true to the best of my knowledge and belief.

AJMER ;

MADAN SINGH,

Dated 2nd May, 1952.

Petitioner.

## APPENDIX 'C'

1. That on 12th January 1952, the Respondent No. 1 procured motor-vehicles Nos. A.J.M. 3572 and A.J.M. 2760 of Thr. Chandra Singh, Istimrardar of Bandanwara to convey voters who were freely conveyed in these vehicles from Bandanwara village to the polling station for recording votes.

2. That on the day of the polling, viz. on 12th January 1952 the camp of the Respondent No. 1 was fixed within 100 yards of the polling station at village Bandanwara where Respondent No. 1 and his men were canvassing freely for himself.

AJMER ;

MADAN SINGH,

Dated 2nd May, 1952.

Petitioner.

I, Madan Singh, petitioner, Station Road, Ajmer do hereby take oath and state that the contents of para 1 and 2 of this appendix are true to the best of my knowledge and belief.

AJMER ;

MADAN SINGH,

Dated 2nd May, 1952.

Petitioner.

No. 3E.—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under section 81 thereof is published for information.

J. D. SHARMA, *Chairman,*

—ed 20th August 1952.

Election Tribunal, State of Ajmer.

## BEFORE THE ELECTION COMMISSION, NEW DELHI.

## ELECTION PETITION No. 234 OF 1952.

Bhairon son of Chhoga of Village Khara, Post Office Kharwa, District Ajmer—  
Petitioner.

## Versus

1. Th. Ganpat Singh s/o Thakur Gopalsingh Istimrardar of Kharwa State Beawar Sub-Division District Ajmer.
2. Shri Jwakra s/o Shiv Nath Jat of Gopalpura, Post Office Beawar Khas, District Ajmer.
3. Shri Kundanmal Kicha Ajmeri Gate, Beawar.
4. Shri Brij Mohan Lal Sharma Advocate Beawar.
5. Kr. Kesheo Sain s/o Th. Ganpatsingh of Kharwa, Dist. Ajmer.
6. Shri Sadul s/o Birdha, Merat of village Ramawas Post Office, Beawar.

Respondents.

*Election Petition Under Section 100 and 101 of the Representation of People Act, 1951, read with Section 8 of the Government of Part "C" States Act, 1951*

The Petitioner named above respectfully begs to submit as under —

1 That the Petitioner contested the election to the Ajmer State Legislative Assembly from the Nayanagar Constituency of Beawar Sub-Division of Ajmer State

2 That the respondents were the other candidates from the aforesaid Constituency for the Election held in January 1952

3 That respondent No 1 is an Istimrardar of Kharwa State in Ajmer State and as such he holds an "Office of Profit" within the meaning of Article 102 of the Indian Constitution read with Section 17 of the Government of Part "C" States Act 1951

4 That at the time of security of the nomination papers of the candidates the petitioner had challenged the candidature of respondent No 1 on the grounds that he was holding an Office of Profits and as such he was disqualified to stand and contest the Election to the Legislative Assembly of Ajmer State, but the Returning Officer of the Constituency improperly accepted the nomination of respondent No 1 and declared him duly nominated candidate for the Nayanagar Constituency of the Ajmer State, whereas the nomination of Shri Sadul the respondent No 6 was improperly rejected by the Returning Officer

5 That in the Election held in January 1952 the contestant were your petitioner and respondents Nos 1 2 and 3 Shri Brij Mohan Lal respondent No 4 and Shri Kesheo Sam the respondent No 5 withdrew their candidature before 11th December 1951, the last date for the withdrawal of the names

6 That the respondent No 1 was declared elected under Section 67 of the Representation of People Act 1951 and his result was published in the Gazette of the Government of India, Part 3 Section 3, dated 9th February 1952 The respondent No 1 secured 1958 votes while your petitioner secured 1807 votes

7 That the notice of Return of Election Expenses, filed by the respondent No 1 has been published under Rule 113 of the Representation of People (Conduct of Election and Election Petitions) Rules 1951, in the *Gazette of India* Part 3, Section 3, dated the 19th April 1952 and therefore the petition is within time

8 That the election of the Returned Candidate Th Ganpatsingh respondent No 1 is void and is challenged on the following grounds —

(1) That Th Ganpatsingh the respondent No 1 was and is holder of an Office of Profits under the Government of India within the meaning of Article 102 of the Indian Constitution read with Section 17 of the Government of India Part "C" States Act 1951, and as such he was and is disqualified to stand and contest the election for or to occupy the seat of a member in the Legislative Assembly of State of Ajmer

(2) That the result of election has been materially affected by the improper acceptance of the nomination of respondent No 1 and the improper rejection of the nomination of Respondent No 5 (Shri Sadul)

(3) That the respondent No 1 has been guilty of corrupt practices within the meaning of Section 123 of the Representation of People Act, 1951 as specified below —

(a) That the respondent No 1 by himself, through his agents and other persons with his connivance practised bribery, full details and specification thereof are incorporated in the list of particulars affixed herewith as Appendix "A"

(4) That the result of Election has been materially affected by the non-compliance with the Provision of the Representation of People Act, 1951 and the Rules relating to Election and that the Polling Agents of the Petitioner were not allowed to enter the premises of the Polling Station upto 12 noon on 16th January 1952 at Polling Stations of Beawar Khas, Kharwa and Mahila.

(5) That the result of the election has been materially affected by the non-compliance with the provisions of the Representation of People Act, 1951 and the Rules relating to Election that the voters of village Lari, Pabuthan, and Rampura were made to go to a distance of about 7 miles and therefore the lady voters did not go to cast their votes

9 That a Treasury receipt of Rs 1,000 is herewith attached to show that the Security deposit is required by section 117 of the Representation of People Act has been made with the Government Treasury at Ajmer on 1st May 1952



10. That the petitioner therefore prays that the election of Th. Ganpat Singh respondent No. 1 be declared void and the Petitioner be declared as duly elected candidate and the cost of this petition may be allowed.

(Sd.) BHAIRON.

AJMER;

Dated 1st May, 1952.

*Verification*

I, Bhairon s/o Chhoga of Village Kharwa do hereby solemnly affirm and state that the contents of paras. 1 to 9 are true and correct to my knowledge and belief and last is the prayer. Verified and signed at Ajmer on 1st May 1952.

(Sd.) BHAIRON.

AJMER;

Dated 1st May, 1952.

APPENDIX "A"

*List containing particulars of Corrupt Practices.*

That the respondent No. 1 by himself, through his Agents and other persons with the connivance distributed wine in large quantity between 1st January 1952 to 14th January 1952 to the voters of Beawar Khas, Fateh Garh, Mondri Mahendraton Thekran, Mahendraton and Jalia and in the aforesaid villages women voters were given Rs. 20 each for voting in favour of respondent No. 1.

AJMER;

Dated 1st May, 1952.

(Sd.) BHAIRON.

*Verification*

I, Bhairon s/o Chhoga of Kharwa Village in Ajmer State do hereby verify that the contents of the above are true to my knowledge and belief and the same have been signed and verified at Ajmer this 1st day of May 1952.

AJMER;

Dated 1st May, 1952.

(Sd.) BHAIRON.

No. 4E. In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under section 81 thereof is published for information.

J. D. SHARMA, Chairman,  
Election Tribunal, State of Ajmer.

Dated 20th August 1952.

BEFORE THE ELECTION COMMISSION, NEW DELHI.

ELECTION PETITION No. 235 OF 1952.

Shri, Buda son of Kallu Rawat of Village Madar Pura, District Ajmer—Petitioner.

*Versus.*

1. Shri Kishan Lal Lamror Advocate, Kutchery Road, Ajmer.
2. Thakur Onkar Singh Istimrardar of Bagh Surl at present at Ajmer.
3. Shiv Narain Singh Advocate, Imperial Road, Ajmer.
4. Shri Hardayal Mahajan of Gagwana, District Ajmer
5. Shri Khema Rawat of Village Gowari, District Ajmer.

} Respondents.

*Election Petition U/S. 100 and 101 of the Representation of People Act, 1951 read with Section 8 of the Government of Part "C" States Act, 1951.*

The petitioner named above respectfully begs to submit as under:—

1. That the petitioner is a elector in the Gagwana Constituency of the Assembly Constituencies of the State of Ajmer.

2. That in the Election held in January 1952, the respondents were the candidates from the Gagwana constituency for a seat in the Ajmer State Legislative Assembly.

3. That at the time of these nominations the respondent No. 1 was a member of the Advisory Council of the Chief Commissioner of Ajmer State and a member of the Provincial Transport Authority and was and is an Assessor appointed by the Central Government for the Railway Rates Tribunal and as such he was an holder of an "Office of Profit" within the meaning of Article 102 of the Indian Constitution read with Section 17 of the Government of Part "C" State Act, 1951.

4. That the nomination of respondent No. 2 was rejected as he was held to be an holder of office of profit by the Returning Officer of the Constituency, whereas respondent No. 3 withdrew his candidature before 11th December 1951, the last date for withdrawal, fixed by the Chief Commissioner, State of Ajmer.

5. That the election was held in January 1952, and the only contestants were respondents Nos. 1, 4 and 5 and respondent No. 1 was declared elected and his result was published under section 67 of the Representation of People Act, 1951, in the Government of India Gazette, Part 3, Section 3, dated the 9th February 1952.

6. That the notice of the return of Election Expenses filed by respondent No. 1 has been published under Rule 113 of the Representation of People (Conduct of Election and Election Petitions) Rules, 1951, in the Government of India Gazette Part 3, Section 3, dated the 19th April 1952, and therefore this petition is within prescribed time.

7. That the Election of the Returned Candidate respondent No. 1 is void and is challenged on the following grounds :

(1) That Shri Kishan Lal the respondent No. 1 was and is holder of an "Office of Profit" under the Government of India, within the meaning of Article 102 of the Indian Constitution read with section 17 of the Government of Part "C" States Act, 1951, and as such he was and is disqualified to stand and contest the Election for or to occupy the seat of a member in the Legislative Assembly of the State of Ajmer.

(2) That the result of the election has been materially affected by the improper acceptance of the nomination of respondent No. 1 and the improper rejection of the nomination of respondent No. 2.

(3) That the respondent No. 1 has been guilty of corrupt practices within the meaning of Section 123 of the Representation of People Act 1951 as specified below:—

(a) That respondent No. 1 by himself, through his Agents and other persons with his connivance interfered or attempted to interfere with the free exercise of the Electoral Rights of the Voters full particulars whereof are set forth in the list appendix "A" attached herewith.

(b) That respondent No. 1 by himself, through his agents and other persons with his connivance practised bribery full particulars whereof are set forth in appendix "B" attached herewith.

(4) That the Return of Election Expenses filed by respondent No. 1 is false in material particulars. Respondent No. 1 incurred more expenses, than are permitted by Law and the returns are not in accordance with the prescribed rules.

(5) That is Treasury Receipt of Rs. 1,000 (One Thousand) only is hereby attached to show that the deposit for security as required by section 117 of the Representation of People Act, 1951 has been duly made.

8. That the petitioner therefore prays that the Election of respondent No. 1 Shri Kishan Lal Lamrqr be declared void and the cost of this petition be allowed to the petitioner.

AJMER;

Dated 1st May, 1952.

(Sd.) BUDA.

*Verification*

I, Buda son of Kallu Rawat of Village Madarpura an Elector in the Gagwana Constituency of Ajmer State do hereby solemnly affirm and state that the contents of the above petition from para. 1 to 7 are true and correct to my knowledge and belief and para. 8 is the prayer. Verified and signed at Ajmer this 1st day of May 1952.

AJMER;

Dated 1st May, 1952

(Sd.) BUDA.

*Appendix "A"**List containing particulars of Corrupt Practice.*

That on 18th and 19th January 1952, respondent No. 1 by himself, through his agents and other persons with his connivance persuaded and prevented the voters of Village Palran from going to the Polling Booth by inducing the Voters to believe that they and their children will become or will be rendered an object of Divine Displeasure or Spiritual Censure if they moved out of their village and thereby prevented them from voting for respondent No. 5, who otherwise would have been a successful candidate.

AJMER;

Dated 1st May, 1952.

(Sd.) BUDA.

*Verification*

I, Buda s/o Kallu Rawat of Village Madarpura do hereby declare and state that the contents of the above appendix are true to my knowledge and belief. Verified and signed at Ajmer on this 1st day of May 1952.

AJMER;

Dated 1st May, 1952.

(Sd.) BUDA.

*Appendix "B"**List containing particulars of Corrupt Practice*

That on 19th January 1952, respondent No. 1 by himself, through his agents and other persons with his connivance gave a sum of Rs. 100 (Hundred) and twelve Bottles of wine to Gheesa, Bhopa of village Palran as bribe to exercise his influence over the Electors of Village Palran and thereby prevent them from going to the Polling Booth to cast their votes in favour of respondent No. 5.

AJMER;

Dated 1st May, 1952.

(Sd.) BUDA.

*Verification*

I, Buda s/o Kallu Rawat do hereby declare and affirm that the contents of this appendix are true to the best of my knowledge and belief. Verified at Ajmer on this 1st day of May 1952.

AJMER;

Dated 1st May, 1952.

(Sd.) BUDA.

**No.5. E.**—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under section 81 thereof is published for information.

Dated 20th August, 1952

J. D. SHARMA, *Chairman.*  
Election Tribunal, State of Ajmer.

BEFORE THE ELECTION COMMISSION, NEW DELHI.

ELECTION PETITION No. 241 of 1952.

Gulab Chand Chordia S/o Ghisala, Resident of Bijainagar, District Ajmer—  
*Petitioner.*

## Versus

1. Thakur Narain Singh S/o Thakur Vijay Singh, Istimrardar of Masuda.
2. Shri Muralilal Mansinghka, General Manager, Bijay Cotton Mills, Bijainagar.
3. Shri Madan Singh, Advocate, Station Road, Ajmer
4. Shri Kanhaiyalal Bhatewara, Bijainagar.
5. Shri Suryamal Maurya, Maurya Bhawan, Beawar.
6. Shri Gindandal Chamar of Bijainagar.
7. Shri Kesavlal Bhembhi of Village Masuda.

Respondents.

*Election Petition under Section 100 and 101 of the Representation of People Act, 1951, read with Section 8 of the Government of Part 'C' States Act, 1951.*

The petitioner, named above, respectfully begs to submit as under:—

1. That the petitioner is an elector in the Masuda constituency of Ajmer State Assembly Constituencies.

2. That the respondents were the candidates for the aforesaid constituencies of the Ajmer State Assembly.

3. That the Respondent No. 1 is an Istimrardar of Masuda estate in Ajmer State and as such he holds an "Office of Profit" within the meaning of Article 102 of the Indian Constitution read with Section 17 of the Government of Part 'C' States Act, 1951.

4. That at the time of scrutiny of the nomination papers of the candidates, the petitioner had challenged the candidature of Respondent No. 1 on the ground that he was holding an office of profit and as such he was disqualified to stand and contest the election to the Legislative Assembly of Ajmer State, but the Returning Officer of the constituency improperly accepted the nomination of Respondent No. 1 and declared him duly nominated candidate for the Masuda constituency of Ajmer State Assembly.

5. That Respondent No. 1 was duly declared elected under Section 67 of the Representation of People Act, 1951 and his result was published in the *Gazette of India*, Part III, Section 3, dated 9th February, 1952, and his return of Election expenses were published under Rule 113 of the Representation of People Act (Conduct of Election and Election Petitions Rules), 1951, in the *Gazette of India*, Part III, Section 3, dated 19th April 1952 and therefore this petition is in time.

6. The election of returned candidate Thakur Narain Singh is void and is challenged on the following grounds:—

(1) That Shri Narain Singh Respondent No. 1 was and is holder of an "Office of Profit" under the Government of India within the meaning of Article 102 of the Indian Constitution read with Section 17 of the Government of Part 'C' States Act, 1951 and as such he was and is disqualified to stand and contest the election for or to occupy the seat of a member in the Legislative Assembly of State of Ajmer.

(2) That the result of election has been materially effected by the improper acceptance of the nomination of Thakur Narain Singh, Respondent No. 1 by the Returning Officer of the aforesaid constituency.

7. That a Treasury Receipt of Rs. 1000 is attached herewith to show that the amount of security required under Sec. 117 of the Representation of the People Act, 1951 has been deposited in Ajmer Treasury on 1st May, 1952.

8. That the petitioner, therefore, prays that the election of Thakur Narain Singh Respondent No. 1 be declared void and cost of this petition be allowed...

AJMER;

Dated 2nd May, 1952.

(Sd.) GULABCHAND.

1. Gulabchand Chordiya son of Ghisalalji of Bijainagar do hereby on solemn affirmation verify that the contents of paras. 1 to 7 of this Petition are true to the best of my knowledge and belief and para. 8 is the prayer.

Signed and verified at Ajmer on 2nd May, 1952.

AJMER;

Dated 2nd May, 1952.

(Sd.) GULABCHAND.

**No. 6. E.**—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under section 81 thereof is published for information.

J. D. SHARMA, Chairman.  
Election Tribunal, State of Ajmer.

To,

The Election Commission, India,  
New Delhi.

Lala Menghraj S/o Behrimal, aged about 46 years, resident of Jhelah Mohalla, House AMC No. VII/44, Ajmer.—Petitioner.

*Versus*

1. Shri Bhimandas S/o Lohardas Manwani, aged about 38 years, Advocate, Diggi Bazar, Ajmer.
2. Shri Jethanand S/o Wadhmal, aged about 46 years, merchant, Cinema Road, Ajmer.
3. Shri Dev Dutta Sharma, aged about 45 years, Advocate, Kaisarganj, Ajmer.
4. Sureshchandra Mahresh, aged about 50 years, Mundri Mohalla, Ajmer.
5. Shri Mohandas S/o Jaromal, Diggi Bazar Ajmer.
6. Armit Kumar Sanghi, C/o India Motors, Katchary Road, Ajmer.
7. Kunwer Shri Karan Sarda, Advocate, near Daulat Bagh, Ajmer.
8. Shri Madanlal of Ajmer.
9. Shri Rikhabchand Jain, Advocate, Ajmer.
10. Jhamandas Near Jethanand Wadhmal, Station Road, Ajmer.
11. Dr. Harssaram, Diggi Chowk, Ajmer.

Respondents.

*Election Petition Under S. 100 and 101 of the Representation of the People Act, 1951.*

The petitioner submits as under:—

1. That the petitioner is a person who stood for Election from Ajmer 4 (Town Hall) Constituency for Election as a Member of the Ajmer State Legislative Assembly, 1952. Besides the petitioner the above named respondents also stood for election from this Constituency.

2. That the candidature of the petitioner from the Constituency was duly approved of on Congress Ticket by C. C. P. Board, Delhi and petitioner was promised full support from the "Pursharthi Panchayat", Ajmer, in case he was duly declared as nominated from the Constituency.

3. That the petitioner is an elector enrolled at serial No. 2441, Ward No. 14, Ajmer City in the Elector Roll relating to the Ajmer I (South West) Constituency of the Ajmer Legislative Assembly. The respondent No. 1 to 11 all were duly nominated as candidates from the said Constituency. Respondent No. 1 was declared as the duly elected and the others were defeated.

4. That the petitioner filed 3 nomination papers before the Returning Officer (Shri S. A. Raoof) of the said Constituency which were duly registered at No. 8-36, 37 by Returning Officer respectively, the first on 4th December, 1951, and the 1st two on 5th December, 1951 at Ajmer. The three nomination papers of one petitioner were rejected by the Returning Officer on the following grounds:—

#### *Grounds*

(a) That the petitioner in his nomination paper (serial No. 8) declared to have appointed Shri Jagul Kishor S/o Bahrimal of Ajmer as his Election Agent whereas in the nomination papers at serial Nos 36 and 37, he has declared to have appointed himself as his election agent. Under section 40 of the Representation of the People Act, 1951, he could appoint but one person as his election Agent, whether it be himself or some other person.

(b) With regard to the nomination paper at Serial No. 37, it is further contended that at S. No. 1251 of the Elector's list, the recorded elector is Shrimati Bhojibai Sitaldas and not Keshomal Khemchand who professes to have seconded the nomination.

In view of the defects pointed out above the Returning Officer was of the opinion that all the three nomination papers should be rejected.

5. That the order of the Returning Officer rejecting the nomination papers of the petitioner is perverse, illegal, without jurisdiction, *ultra-vires* and also malicious. No nomination paper of the petitioner contained the names of more than one election agent whether it was he or some other person, and as such the provisions of S. 40 of the Representation of People Act, 1951, have not been understood completely by the Returning Officer. The petitioner, under the law was fully competent to nominate to the separate Election Agent in each of his nomination paper and he was not bound under the law to nominate the same Election Agent in all of his nomination papers. And as such all the three nomination papers filed by him were valid and the Returning Officer acted most illegally and with material irregularity and rejected all the nomination papers on untenable grounds. That the Returning Officer acted against the law and without jurisdiction in considering all the three nomination papers together. He ought to have considered each nomination paper separately and independently. And as the first nomination paper filed by the petitioner on 4th December 1951 registered at Serial No. 8 was perfectly correct and in accordance with the law, the Returning Officer was bound to declare the petitioner as duly nominated and he ought not to have considered other two nomination papers at all.

6. That the order of the Returning Officer rejecting the petitioner's nomination paper bearing No. 37 is also illegal and wrong in as much as the mistake in the serial No. of Keshomal who had seconded the petitioner in paper, was wrongly shown whereas in fact his correct serial No. was 1259. It is submitted that this mistake is not such a serious mistake as to render the nomination paper invalid, as it could be corrected by the Returning Officer even on the receiving day i.e. on 5th December 1951. As a matter of fact it was the duty of the Returning Officer to check the serial numbers at the time of the presentation of the nomination paper. This mistake in number seems to have been committed by the petitioner in reading the figure 1 for 9 as he is not very well conversant with Hindi.

7. That the attention of the Returning Officer was also drawn to the Provisions of S. 36(4) of the Representation of People Act, 1951 and also to S. 40 of the same Act that a nomination paper could not be rejected on such grounds, but he acted quite arbitrarily and without following the law on the point and rejected the petitioner's nomination papers.

8. That the nomination paper of the respondent No. 2 was wrongly accepted by the Returning Officer. The same should have been rejected inasmuch as the appointment of Shri Mulchand, L. Lalwani as the election agent of the respondent No. 2 was contrary to the provisions of SS.7—41 and 145 of the Representation of the People Act, 1951, on account of his being the Legal Adviser to the Custodian of Evacuee Property, Ajmer, under the Government of India on a monthly salary of Rs. 150 P.M. which is an office of profit. And the respondent No. 2 is an assessor of the Court of Sessions Judge, Ajmer which is also an office of profit and he also performs the duties undertaken by the State Government.

9. That the wrong and illegal rejection of the petitioner's nomination papers and the acceptance of the nomination paper of the respondent No. 2 have materially affected the result of the said election.

10. That the treasury receipt showing that a sum of Rs. 1000 (One thousand only) has been deposited by the petitioner in the Government Treasury as security for costs of this petition is attached herewith.

11. That respondent No. 1 was declared elected and his name was published in *Gazette of India*, Part III, Section 3, dated the 9th February, 1952, and his return of Election has been notified in *Gazette of India*, Part III, Section 3, dated the 19th April, 1952 and therefore this petition is in time.

12. It is therefore prayed that the election of the respondent No. 1 be declared null and void and be set aside and the seat for the said Constituency be declared vacant and the fresh election for the same be called, and costs may also be allowed to the Petitioner.

MENGHRAJ BEHRUMAL,  
Signature of the Petitioner.

AJMER;  
27th April, 1952.

## Verification

I, Lala Menghraj, the abovenamed petitioner do hereby declare and state that what is stated in paras. 1 to 11 are true to my knowledge and those contained in prayer at para. 12 are true according to the information believed to be true Verified at Ajmer, on 27th April, 1952.

MENGHRAJ BEHRUMAL,  
Signature of Petitioner.

## Documents filed:—

1. Certified Copy of the Order of the Returning Officer, Ajmer, dated 10th December, 1951.
2. The Government Treasury Challan for Rs. 1,000.

AJMER,

MENGHRAJ BEHRUMAL,

Dated the 27th April 1952.

Signature of the Petitioner.

**No. 7.E.**—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under section 81 thereof is published for information.

J. D. SHARMA, Chairman.  
Election Tribunal, State of Ajmer.

Dated 20th August 1952.

## BEFORE THE ELECTION COMMISSION, NEW DELHI.

Election Petition under the Representation of the People Act, 1951.

- |  |                |
|--|----------------|
| 1. Khilumal son of Topandas residing at Yatimkhana outside Delhi Gate. | } Petitioners. |
| 2. Shivanand Shewakram, resident of Nawab Ka Bera, Ajmer.              |                |

## Versus.

1. Arjandas Tulsidas Advocate Diggi Bazar, Ajmer.
2. Parsram Gangaram House No. AMC. VIII/591 Raiger Mohalla, Ajmer.
3. Gulabchand Jain Aryanagar, Ajmer.
4. D. Voble 31/14 Arya Nagar, Ajmer.
5. Mithanlal Jain House No. 24 Bhagwan Ganj, Ajmer.
6. Kodumal House No. 10/250 Pahar Ganj, Ajmer.
7. R/R Mehta House No. 201 Rajinder Bhawan Beawar Road, Ajmer.
8. Pooranchand Gopal Bhawan Diggi Bazar, Ajmer.
9. Ramchand Imdashussain Building Diggi Bazar, Ajmer.
10. Vidyaram 32/299 Chand Bavri, Ajmer.
11. Rikhabchand Jain, Aryanagar, Ajmer.
12. Manghoomal House No. 443 Nawab Ka Bera, Ajmer.
13. Pukhraj Raigarh Mohalla Diggi Bazar, Ajmer.
14. Satya Pal C/O M/S J. B. Mangharam & Co. Mortindle Bridge, Ajmer.
15. Durga Shanker Nalla Bazar, Ajmer (Choudhar Mohalla).
16. Kanyalal Arya House No. 12 Prabhasi Suddan Arya Nagar, Ajmer.
17. Lakhmansingh Nathari Srinagar Road, Ajmer.
18. Baldev Parshad House No. 428 Ward No. 23 Pharganj, Ajmer.
19. Tikam Hardhanji House No. 23/476 Pahar Ganj, Ajmer.
20. Tara Singh Sartaj Hotel Near Majestic Talkies, Ajmer.
21. Om Prakash Sri Nagar Road, Ajmer.
22. Braham Dev Ram Ganj, Ajmer.

Petitioners submits as under:—

1. That the petitioner No. 1. and all the respondents were candidated duly nominated at the election to Ajmer (South West) Constituency of Ajmer Legislative Assembly held on 22.1.1952.

2. That the petitioner No. 2 is an elector in Municipal Ward No. 14 of the above constituency.

3. That the respondents No. 1 and 2 were declared duly elected to the Ajmer Legislative Assembly from the above constituency i.e. Ajmer 1 (South West).

4. That the nomination paper of the respondent No. 3 was improperly rejected on the ground that the respondent was an honorary magistrate at the time of filing nomination papers and that the holding of such a post is an office of profit. The reasoning of the returning officer is erroneous and he should have accepted the nomination paper of the above respondent. That if the nomination paper of the above respondent had been accepted the result of the election would have been otherwise and the respondents No. 1 and 2 would not have been returned selected candidates.

5. That the nomination papers of the respondent No. 2 and 4 have been improperly accepted. That the respondent No. 2 at the time of filing nomination papers was a member of the Rehabilitation Cooperative Society Development Board (loans Committee) and member of the maintenance allowance advisory committee, both committees were appointed by the Ajmer State Government and he still continues to hold membership of both the committees till now. Both the above offices are offices of profit—that the respondent No. 4 at the time of filing the nomination papers was a member of the (Loans Committee) Rehabilitation Cooperative Societies Development Board appointed by the Ajmer State Government, and continue to be so till now. Besides he is and was principal of D.A.V. College which is being aided by the Government. That his nomination papers should have been rejected under section 7E and 7D of the Representation of the People Act. That if the nomination papers of both the respondents No. 2 and 4 have been rejected the result of the election would materially have been otherwise.

6. That the respondent No. 1 is guilty of the Corrupt practices of publishing false statements in relation to the personal character and conduct to the candidature of the petitioner No. 1 in the Sindhi Daily of Ajmer dated 20-12-1951, which is being run, managed, edited, printed and published by his agent Mr. Tilokchand Gopaldas with a view to prejudice the prospect of the above Petitioner's election. The above respondent came on Pursharthi Punchayat Ticket which is being managed by the Editor Shri Tilokchand Gopaldas and manager Mr. Gobindram Khubchandani of the above paper and press. The translation of the piece of the paper is herewith attached. The respondent No. 1 was also guilty of circulating pamphlets one in his own name and other in the name of a fictitious person Hiranand pamandas between 21-12-51 and 21-1-1952 in the above Constituency. These pamphlets were being issued by him from the Hindu Press which is being managed and run by Shri Gobindram Khubchandani Secretary of the Pursharthi Punchayat, and Shri Tilokchand Gopaldas Editor of the "Hindu" Daily. That the statement made in these pamphlets and the papers were utterly false and were issued with a view to prejudice the prospects of the petitioner No. 1's selection. Translation of the pamphlet is attached herewith.

7. That the respondent No. 1 hired three vchiles and Tongas for taking the voters to Booths on 22-1-1952. Hence he is guilty of major practices.

8. That the respondent No. 1 is also guilty of corrupt practices of systematic appealing to Sindhi Community and Refugee Voters that they should vote for him as he is the candidate set up by Sindhis and the other sindhi candidate i.e. petitioner No. 1 has been set up by the local candidates with the object of spoiling sindhi votes. This fact will even be apparent from the "Hindu" Daily of various dates and from the pamphlets issued.

9. That the respondents from No. 3 to 22 are made *proforma* respondents and no relief is being claimed against them.

10. That the sum of Rs. 1000/- is deposited in the name of Khilmal shumand and the receipt of the same is attached herewith.

11. That the application is in time as this Constituency is a plural constituency and the last date of the lodging of the return of the Election expenses was 25th March 1952 and 60 days from the last date i.e. 25th March shows that the petition is in time.



12. That the respondents No. 1 and 2 have not given proper account of their expenses for contesting such elections.

13. That the petitioner pray

(a) That the said election should be declared void and be set aside therefore respondents No. 1 and 2 should be declared not duly elected. Further it is prayed that the respondent No. 1 should be disqualified from election and be disqualified from being elected and holding any office of any local authority etc under Section 146 of the Representative of the People Act.

(b) to allow cost of the petitioners.

KHILUMAL,  
SHIVANAND SEWAKRAM,

Signature of the petitioners.

We the petitioner Khilumal Son of Topandas Shivanand Shewakram do hereby declare at Ajmer on this 23rd May 1952 that what is stated above in the petition is true to our knowledge.

Verified dated 23rd May 1952 at Ajmer.

KHILUMAL,  
SHIVANAND SEWAKRAM,  
Signatures.

HINDU 20TH DECEMBER 1951.

DECISION OF TICKETS BY PURSHARIHI PANCHAYAT.

*Conspiracy to split Sindhis*

For general seat of Ward Nos. 8, 13, 14, 22, 23, 24, 25 and 32 M/S. Arjandas & Kodumal applied to the Board. The Panchayat obtained resignation from both of them. The executive Committee listened both and the enquiry committee after thorough discussion gave ticket to Arjandas. Seth. Kodumal and his brother, it is said, are well-wishers of Sindhi Community. Seth. Kodumal or his brother remained satisfied with the decision of the Panchayat but one of his worker who with an idea to fill his belly wants that seth should contest upto the last. He therefore misguides him and has distributed his pamphlets in the city. There are still three other candidates viz, Sardar Taransingh, Ramchand and Khilumal contesting against Shri Arjandas.

It is said that well-wishers of Sindhi Community will bring pressure on M/S. Ramchand and Kodumal who for the good of the community will withdraw. One Local candidate has set up Shri. Khilumal so as to spoil the votes of Sindhis. He would like to forego his deposit as in ward no. 6 in last municipal elections and contest with a view to indirectly help a local candidate. In all the 8 wards there are only 400 panjabi votes. Sardar Taransingh is contesting perhaps on their votes. It is learnt that some respectable persons will meet him also.

*Request to voters of Ward Nos. 8, 13 14, 22, 23, 25 and 32*

In the last Municipal Election the matters of ward No. 13 at the time of giving me vote tapped and blessed me that I should do more service. The voters gave me 85 per cent of their votes without any gratification or conveyance. All the factors have confirmed my view that our brothers are unhappy and require more of our services. In the ensuing assembly elections many Sindhi friends demanded that I should serve them. They assured me that other wards will also cast votes in my favour without any gratification. Selling all these conditions I place my services before you and for this I shall keep a partner to help me in my profession and shall devote most of the time in public service

In this election some friends, at the instigation and financial aid of opposition party are contesting against me with the motive to benefit others by spoiling votes of Refugees. The refugees can well understand what will be our lot in case of our no representative being elected. I therefore request you to save certain seats for refugees by not falling in the clutches of such candidates.

I am contesting for general seat on pursharthi Ticket. Kindly put one ballot paper in my box so as to enable me to serve you. I shall try to meet each and every brother but due to the extensive ward, it is possible I may not be able to meet all for which I hope they will excuse me

In your service  
ARJANDAS, Advocate.

*Khilumal's Dharma Out Trying to Put Dust in the eyes of Sindhies*

In the ensuing assembly elections our fate will be decided. The Problems like the services, business, rents, property even our assistance will depend upon these elections for which is absolutely essential that our educated able politician and real worker should get in so as to get us our rights. From the very beginning we were given information that a local man is managing to persuade Khilumal to contest from this ward with an idea to divide our votes. When we saw that Khilumal's well-wishers are openly working for a local man and his friends are trying to see that Sindhies give votes to him or in the alternative to Khilumal. The action of the local man have been against the Refugees. It is certain to him that many Sindhies will not vote for him. This has been corroborated from the Pamphlet issued by Khilumal. Seeing love among the voters for Arjan Dass he has started making false Propaganda. But he has not written anything for the local man. Brother Arjan Dass has never charged any fee for identification, if anyone can prove this Shri Arjan Dass is prepared to give Rs. 500. Every voter is expressing that Arjan Dass is only fit for assembly. On the other hand brother Khilumal is less educated, sensitive and unemployed. He considers this election as business and has stood nearly to see defeat of Sindhies but still he makes attack on Arjan Dass. Every brother knows well that Arjan Dass is our prestige and he will restore all the rights at present given to us and will get us more rights. Hope that God will give prudence to Khilumal as not to kill goat for liver and he should do real business in future.

Further hope that voters will not be led by false Propaganda and will vote for Arjan Dass in which alone there is our goodness.

HIRANAND PAMANDAS  
Hindu Electric Press, Ajmer.

[No. 19/233/52-Elec. III.]  
P. N. SHINGHAL,  
for Chief Election Commissioner.